

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, FEBRUARY 21, 2023
7:30 P.M.**

A. ROLL CALL OF MEMBERS

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. CAUCUS PRIOR TO MEETING MINUTES HELD ON FEBRUARY 7, 2023.
2. REGULAR COUNCIL MEETING MINUTES HELD ON FEBRUARY 7, 2023.

D. REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee – Chairman, Poindexter
Finance Committee - Chairman, Scott
Legislative Committee - Chairwoman, Coyne
Parks & Recreation Committee - Chairman, Mencini
Planning Committee - Chairman, Troyer
Safety Committee - Chairman, Roberts
Service Committee - Chairman, Poindexter
Board of Zoning Appeals - Chairman, Salvatore

E. REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center Trustee, Mencini
Berea Board of Education Representative, Coyne
Technology & Innovation Council Representative, Poindexter

F. REPORTS OF BOARDS AND COMMISSIONS:

G. INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

H. REPORTS AND COMMUNICATIONS FROM THE MAYOR:

**I. REPORTS AND COMMUNICATIONS FROM DEPARTMENTS,
COMMISSIONS, AND OTHER PUBLIC OFFICIALS:**

**J. OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL
APPROVAL: (INTRODUCTION OF NEW LEGISLATION):**

K. MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

L. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

M. ORDINANCES AND RESOLUTIONS FIRST READING:

1. ORDINANCE NO. 11314-2023

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING ("MOU") WITH THE BROOK PARK FIREFIGHTERS ASSOCIATION LOCAL 1141, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

2. ORDINANCE NO. 11315-2023

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH WESTVIEW CONCRETE FOR THE PURCHASE OF CONCRETE AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

N. SECOND READING OF ORDINANCES AND RESOLUTIONS:

O. THIRD READING OF ORDINANCES AND RESOLUTIONS:

P. ADJOURNMENT:

**SYNOPSIS OF ORDINANCES AND RESOLUTIONS
FOR THE COUNCIL MEETING OF FEBRUARY 21, 2023**

FIRST READING:

Ord. No. 11314-2023 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING ("MOU") WITH THE BROOK PARK FIREFIGHTERS ASSOCIATION LOCAL 1141, AND DECLARING AN EMERGENCY

SYNOPSIS: An ordinance authorizing the Mayor to enter into a MOU with the Brook Park Firefighters Association Local 1141 for a 3.5% raise for 2023.

Ord. No. 11315-2023 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH WESTVIEW CONCRETE FOR THE PURCHASE OF CONCRETE AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance authorizing the Mayor to enter into a contract with Westview Concrete for the purchase of concrete for the Service Department, not to exceed \$40,000.00.

**PREPARED BY THE BROOK PARK LEGAL DEPARTMENT
February 15, 2023**

7-10 2-7-23 Finance
SA 2-14-23
1st R 2-21-23
2nd R _____
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11374-2023

INTRODUCED BY: MAYOR ORCUTT

AN ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF
UNDERSTANDING ("MOU") WITH THE BROOK PARK FIREFIGHTERS
ASSOCIATION LOCAL 1141,
AND DECLARING AN EMERGENCY

WHEREAS, a Memorandum of Understanding (hereinafter "MOU")
between the City of Brook Park and the Brook Park Firefighters
Association Local 1141, has been presented to Council.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City
of Brook Park, State of Ohio, that:

SECTION 1: The Mayor is hereby authorized to enter into a
MOU on behalf of the City with the Brook Park Firefighters
Association Local 1141, effective January 1, 2023 through
December 31, 2023, a copy of said MOU is attached hereto as
Exhibit "A" and made a part hereof as if fully rewritten herein.

SECTION 2: The money needed for the aforesaid transaction
shall be paid from the general fund no. 100 theretofore
appropriated for said purpose.

SECTION 3: It is found and determined that all formal
actions of this Council concerning and relating to the adoption
of this Ordinance were adopted in an open meeting of this
Council, and that all deliberations of this Council and of any
of its committees that resulted in such formal action were in
meetings open to the public in compliance with all legal
requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance is hereby declared to be an
emergency measure immediately necessary for the preservation of the
public peace, health, safety and welfare of the municipality and
inhabitants thereof, and for the further reason to enter into a MOU
with the Brook Park Firefighters Association Local 1141, therefore,
provided this Ordinance receives the affirmative vote of at least
five (5) members elected to Council, it shall take effect and be in
force immediately upon its passage and approval by the Mayor;
otherwise, from and after the earliest period allowed by law.

RECEIVED

FEB 07 2023

BROOK PARK CITY COUNCIL

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

DATE

I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS


DIRECTOR OF LAW



Memorandum of Understanding (MOU)

This Memorandum of Understanding is entered into between the City of Brook Park ("City" or "Employer"), the Brook Park Firefighters Association Local 1141 ("Union" or "Local 1141") and memorializes the following acknowledgements, understandings, and agreements:

Wage Increase for The 2023 Calendar Year

The salaries of members in Local 1141 will increase by 3.5% for the 2023 year (see Exhibit A). The effective date of the 3.5% wage increase will be 1/1/2023.

Healthcare Employee Premiums for the 2022 Plan Year

Both parties agree that Healthcare Premiums do not meet the 5% increase threshold necessary to trigger the Healthcare Reopener.

This Memorandum of Understanding is entered into this day of February 2023.

Edward A. Orcutt, Mayor

Date

Matthew Wright, President, Local 1141

Date



EXHIBIT A

The Annual Salary Paid to Firefighters:

FF/EMT Certified	2022 Wage Reopener	2023 Wage Reopener
Start	\$51,654.88	\$53,462.80
After 12 Months	\$55,958.85	\$57,917.41
After 24 Months	\$61,340.10	\$63,487.00
After 36 Months	\$67,114.95	\$69,463.97
After 48 Months	\$73,591.93	\$76,167.65

FF/Paramedic Certified	2022 Wage Reopener	2023 Wage Reopener
Start	\$55,542.70	\$57,486.69
After 12 Months	\$60,172.63	\$62,278.67
After 24 Months	\$65,957.73	\$68,266.25
After 36 Months	\$71,742.83	\$74,253.83
After 48 Months	\$77,984.05	\$80,713.49

Fire Prevention Officer	2022 Wage Reopener	2023 Wage Reopener
Firefighter/EMT	\$83,159.28	\$86,069.85
Firefighter/Paramedic	\$88,122.33	\$91,206.61

Lieutenant	2022 Wage Reopener	2023 Wage Reopener
Firefighter/EMT	\$85,367.13	\$88,354.98
Firefighter/Paramedic	\$90,461.38	\$93,627.53

10 2-7-23 Service
CA Prior 2-7-23
1st R 2-21-23
2nd R _____
3rd R _____
R/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11315-2023

INTRODUCED BY: MAYOR ORCUTT

AN ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH
WESTVIEW CONCRETE FOR THE PURCHASE OF CONCRETE
AND DECLARING AN EMERGENCY

NOW THEREFORE BE IT ORDAINED, by the Council of the City of
Brook Park, State of Ohio, that:

SECTION 1: The Director of Public Service has prepared specifications for the purchase of concrete for 2023, for use by the Brook Park Service Department, and the best bidder was Westview Concrete, since they are the only ones that can accommodate the City when deliveries are needed; the bids are attached as Exhibits "A" "B" and "C".

SECTION 2: The money needed for the aforesaid transaction shall be paid from Fund Number 243, for the Sidewalk Replacement Program; Fund Number 240 for Roads, Water Main Breaks, Streets, Construction, Maintenance, and Repairs; and Fund Number 100 for Catch Basins; and shall not exceed \$40,000.00.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare in the City, and for the further reason to enter into a contract to purchase concrete; therefore provided this Ordinance receives the affirmative vote of at least five (5) members elected to Council it shall take effect and be in force immediately from and after its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.



PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

DATE

I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS


DIRECTOR OF LAW

QUOTATION

WESTVIEW CONCRETE CORP.
PO BOX 38159
26000 SPRAGUE RD
OLMSTED FALLS, OHIO 44138
OFFICE: (440) 235-1806 FAX: (440) 235-1893
DISPATCH: (440) 235-1800



CITY OF BROOK PARK
Service Garage
19065 Holland Road
Brook Park, Ohio 44142

January 13, 2023

JOB: VARIOUS 2023

ATTN: Randy Meadows
PHONE: 216-433-7192
CELL: 216-407-0344
FAX: 216-433-7193
EMAIL:

TERMS: NET 25TH PROX.
START DATE: January 1, 2023

WE AGREE TO FURNISH THE FOLLOWING MATERIALS TO THE ABOVE PROJECT. PRICES QUOTED ARE SUBJECT TO CONDITIONS. EXTRAS STANDARD UNLESS OTHERWISE NOTED IN QUOTE.

READY-MIX

6.0 SACK \$163.50 CY
6.5 SACK \$167.50 CY
CLASS C \$167.00 CY
CLASS MS \$186.00 CY
CLASS FS \$198.00 CY

MISCELLANEOUS

Fuel Surcharge \$35.00 per load
Calcium Chloride 25# bags @ \$17.55 ea
Residential Fiber (.75#) @ \$7.00/ yard
Commercial Fiber (1.5#) @ \$11.00/yard

NOTE: FUEL SURCHARGE MAY INCREASE WHEN DIESEL FUEL PRICE EXCEEDS \$5.00 PER GALLON.

EXTRAS

SUPERPLASTICIZER	\$10.00 CU.YD. (FULL DOSE - 632)
MIDRANGE WATER RED.	\$5.00 CU.YD. (FULL DOSE - 622)
RETARDER	\$5.00 CU.YD. (FULL DOSE - 642)
RETARDER	\$2.50 CU.YD. (1/2 DOSE - 641)
1% NON-CHLORIDE ACC.	\$6.00 CU.YD.
2% NON-CHLORIDE ACC.	\$12.00 CU.YD.
WINTER HEAT	\$10.00 CU.YD. (EFFECTIVE NOV 1 st THROUGH APRIL 30 th)
LATE LOAD AFTER 3:30 p.m.	\$65.00 PER LOAD
SATURDAY CHARGES	\$65.00 PER LOAD
DEMURRAGE CHARGE	\$ 1.50 PER MINUTE AFTER THE LESSER OF 10 MIN / CU YD OR 60 MINUTES
LIGHT LOAD CHARGE:	1-1.75 CU YD = \$ 150.00 4-4.75 CU YD = \$ 65.00
	2-2.75 CU YD. = \$ 115.00 5-5.75 CU YD = \$ 55.00
	3-3.75 CU YD. = \$ 85.00 6-7.75 CU YD = \$ 45.00

PRICING GOOD THROUGH JUNE 30, 2023; PRICES SUBJECT TO CHANGE JULY 1, 2023

THIS QUOTE IS SUBJECT TO ACCEPTANCE BY YOU WITHIN 30 DAYS. YOUR ACCEPTANCE OF THIS QUOTE WILL CONSTITUTE A CONTRACT BETWEEN YOUR COMPANY AND WESTVIEW CONCRETE CORP., SUBJECT TO PRICES, TERMS AND CONDITIONS MENTIONED HEREIN. ANY READY-MIX MATERIAL OR EXTRAS ORDERED (OTHER THAN WHAT IS NOTED ON QUOTE) WILL NOT GUARANTEE THESE PRICES.

SINCERELY,
WESTVIEW CONCRETE CORPORATION

HOWARD RENKER,
440-653-3201 cell
hrenker@westviewconcrete.com



PLANT: 5000 GRAYTON AVENUE, CLEVELAND, OHIO
DISPATCH (216) 361-5000
SALES PHONE (216) 701-1537 FAX (216) 361-2279
jbulfenberger@techreadymix.com

11 B'

PRICE QUOTATION 2023

To: City of Brookpark DATE: 01/23/2023
Quote #: 17,365
Attn: Bryan Project: City of Brookpark
Fax: Office

TECH READY MIX IS PROUD TEAMSTER MEMBER, PLANT ODOT CERTIFIED & NRMCA CERTIFIED
CITY OF CLE MBE, CSB & LPE/ COUNTY SBE, MBE & NEORSD MBE SBE, MEMBER OF ACI & ASGC

	Per CY
ODOT Class C	\$144.00
ODOT QC MS	\$162.00
ODOT QC FS	\$108.00

Due to portland cement shortage can not guarantee shipping day or time

A Monthly Service Charge of 1.5% or 18 % Annually Added to Invoices Not Paid In Full
Please note prices do not include taxes of any kind.

PRICES QUOTED WILL BE HONORED FOR THIRTY (30) DAYS FROM ABOVE DATE. INITIAL _____

ADDITIONAL PRODUCTS & ADDITIONAL INFO

ADD

Sales taxes will be charged until a sales tax exemption certificate is received by our Accounting Dept.

MicroFiber 1 lbs	\$ 8.00 Per Lbs
MicroFiber 1 1/2 lbs	\$ 12.00 Per Lbs
MacroFiber 1 lbs	\$ 8.00 Per Lbs
Calcium 25 lbs	\$ 18.00 Per Bag

Add 18 Lbs Calcium Per Cy to Price Noted Above When Using ODOT FS

Nori Chloride (1%) Accelerator	\$ 10.00 Per Yard
Nori Chloride (1.5%) Accelerator	\$ 14.00 Per Yard
Nori Chloride (2%) Accelerator	\$ 18.00 Per Yard
Superplasticizer Full Dose	\$ 8.00 Per Yard
Superplasticizer Half Dose	\$ 4.00 Per Yard
Washout Fee (When using Color)	\$ 76.00 Per Load
High Early Type '3' (In Season)	\$ 8.00 Per Yard
Retarder	\$ 2.00 Per Yard

Minimum Load Charges:

1 - 1 3/4 Yds. Add:	\$ 170.00 Per Load
2 - 3 3/4 Yds. Add:	\$ 140.00 Per Load
4 - 6 3/4 Yds. Add:	\$ 100.00 Per Load
Demurrage After 60 min	\$ 3.00 Per Min

Trucks will remain on site no longer than 80 min

Saturday Delivery (Till Noon)	\$ 100.00 Per Load
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* Plant Opening Charge May Apply

Later after 4:00 Delivery	\$ 75.00 Per Load
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Plant Opening Charge (4 hr minimum)	\$ 1,600.00 Per Hour
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Waiting Time	\$ 60.00 Per Truck
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Winter Operation	\$ 8.00 Per Yard
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Corrosion Inhibitor (If Needed)	\$ 29.00 Per Gallon
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Additional Testing (If Needed)	Cost
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Per load fuel surcharge will be added to all deliveries.	\$ 25.00 (subject to market)
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2023 June 1 Cost Estimated Increase	\$ 12.00 Per Yard
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Technician on Job (Upon Availability)	\$ 80.00 Per Hour
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All ODOT QC QA Testing Cost Shall Be Contractors Responsibility

Waiver of Lien & Notice of Furnishing Required Before Starting Job

* Normal Plant hours are M-F 7:00 A.M. to 4:00 P.M. - Delivery not available Sunday or Holidays.

Mixes are batched @ proper water cement ratio and may require HRWR to achieve desired slump.

Tolerance on air concrete as delivered shall be +/- 1.5 percent ACI 318 Maximum Standard.

Tech Ready Mix does not have white cement available. All dyes are special order items

We do not have test results for water soluble chloride content

Sand meets ODOT 703.02 not ODOT 703.03

All Placing and Testing to be in accordance with ACI and ASTM Standards

To Receive This Pricing Quote Must Be Signed & Returned To Tech Ready Mix Inc

ACCEPTED BY: _____

Julia Bulfenberger Cell (216) 701-1537 Cell

DATE

Rockport

READY MIX

3092 Rockefeller Avenue - Cleveland, OH 44115
Phone: (216) 202-1112 Fax: (216) 359-0111

DBE, FBE, CSB, NEORSB & SBE Certified

Brian Beyer
City of Brook Park
bbeyer@cityofbrookpark.com

Quote 012523-11
January 25, 2023
Terms: Net 30

RECEIVED
"C"

Project Name: City of Brook Park 2023
Estimated Quantity: 250 CY
Projected Project Start Date: January 2023

Bid Date:
Projected Project End Date: December 2023

We appreciate the opportunity to provide you with this quote for the following materials:

ODOT Class C	\$156.00 /CY
ODOT QCMS	\$171.00 /CY

ALL ABOVE MIXES ARE WITH A MAXIMUM SLUMP OF 4 INCHES UNLESS OTHERWISE SPECIFIED.

No Color is included in above prices. Mixes may require HRWR to achieve slump for workability as per specification. Above prices do not include taxes of any kind. Sales taxes will be charged unless a tax exemption certificate is received and on file. Unload time starts 10 minutes after truck arrival on site. Five (5) minutes per cubic yard is allowed for unloading, excess (waiting time) to be charged at current rate of \$2.00/min. Fuel surcharge will be added to all deliveries at \$30.00 per load subject to change to reflect fuel market prices. Prices good through 2023.

Additional Products & Charges:

Superplasticizer 1/2 dose	\$ 4.50 per yard	Min Load Charges	1.0 - 2.0 CY	\$120.00 per load
Retarder	\$ 5.00 per yard		2 1/2 - 4.0 CY	\$ 95.00 per load
Non-Chloride 1%	\$ 9.00 per yard		4 1/2 - 7.0 CY	\$ 75.00 per load
Fibermesh (1.5 lb/CY)	\$10.50 per yard	Winter Operations As Required Oct. - May		\$ 6.00 per yard
Mid-Range Water Reducer	\$ 5.00 per yard	Chilled/Cold Concrete when required		\$ 12.00 per yard
Dye Clean Out	\$75.00 per load	Nights & Saturday (NOT SUNDAY) Plant Charges		
Late Load Charge - After 3:00PM	\$75.00 per load	\$950.00/Hr. minimum of 4 hours plus late load charge of		
Prices based on deliveries between 7:00AM & 3:00PM, M-F		\$100.00 per load.		

If you have any questions, please contact me at 216-318-3770. To place an order, please contact our Plant Operations at 216-432-9465. We appreciate your business and look forward to working with you and meeting your Ready-Mix needs.

QUOTED PRICES ARE SUBJECT TO ACCEPTANCE WITHIN 30 DAYS FROM DATE OF QUOTE.

Best Regards,

Carl Edwards

Accepted By:

Signature

Date

Print Name

Title

Once accepted, please sign the quote and fax back to: 216-359-0111 or email to: sales@rockportreadymix.com

Note: Placement of an order and/or acceptance of material will constitute agreement and acceptance by purchaser of all costs as outlined on this quote. Purchaser assumes full responsibility for payment thereof.

A MONTHLY CHARGE OF 1.5% (18% ANNUALLY) WILL BE ADDED TO ALL INVOICES NOT PAID IN FULL WHEN DUE.

NRMCA & ODOT Certified * Member NRMCA, ACI & Ohio Concrete